

BULLETIN

**Pennsylvania Department of Agriculture**  
**HARRISBURG, PA.**

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**Vol. 11**

**October 1, 1928**

**Number 13**

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**General Bulletin No. 467**

**Standard Grades**  
**for**  
**Farm Products**



**C. G. Jordan, Secretary of Agriculture**

**Geo. A. Stuart, Acting Director, Bureau of Markets**

Published monthly by direction of the Secretary, Harrisburg, Pa. Entered as second class matter, March 22, 1918, at the Post Office, Harrisburg, Pa., under the Act of June 6, 1900. Acceptance for mailing at special rate of postage provided for in Section 1103, Act of Oct. 3, 1917, authorized June 29, 1918.

# PENNSYLVANIA DEPARTMENT OF AGRICULTURE

## Organization and Services

C. G. JORDAN, *Secretary of Agriculture*    R. G. BRESSLER, *Deputy Secretary*

This Department is essentially a service agency created by legislative enactment to deal with administrative, regulatory, investigational, and educational problems which can best be solved through public rather than individual action. The organization provides for coordination and cooperation with the Pennsylvania State College and the U. S. Department of Agriculture. The Department operates through the following bureaus:

**ANIMAL INDUSTRY:**                      T. E. MUNCE, *Director and State Veterinarian*

Prevents and Eradicates transmissible diseases of animals and poultry, including tuberculosis of animals in cooperation with Federal Government;

Demonstrates to veterinarians control methods for transmissible animal diseases;

Supervises vaccination for and the prevention of hog cholera, anthrax, black leg and hemorrhage septicemia;

Protects public from unwholesome meats through ante and post mortem examinations of animals at slaughtering establishments;

Inspects, licenses and furnishes information as to breeding, soundness and conformation of stallions and jacks standing for public service;

Enforces law requiring licensing of dogs and providing for protection of livestock and people from attacks of uncontrolled dogs;

Maintains laboratory for diagnostic research and experimental projects.

**PLANT INDUSTRY:**    R. H. BELL, *Director*

Tests agricultural seeds for purity and germination, and enforces State Seed Law;

Inspects orchards, parks, farms, and plant imports for injurious insects and plant diseases;

Inspects and licenses Pennsylvania nurseries, and licenses all dealers in nursery stock;

Enforces laws governing apicultural practices, disease control and housing;

Places and enforces quarantines and carries on eradication campaigns against insect pests and plant diseases;

Inspects and certifies potatoes for seed purposes;

Makes investigations for the control of injurious insects and plant diseases including field tests of insecticides, fungicides and weed killers;

Maintains collections of insects, plant diseases, plants, and seeds, and identifies specimens.

**FOODS AND CHEMISTRY:** JAMES W. KELLOGG, *Director—Chief Chemist*

Accomplishes its purpose of protecting Pennsylvania homes against harmful food-stuffs by sampling, analyzing, and bringing prosecution under the laws relating to foods and non-alcoholic drinks, including milk, cream, butter, ice-cream, eggs, sausage, fresh meats, soft drinks, fruit syrups, vinegar and kindred food products;

Regulates and issues licenses for the manufacture and sale of oleomargarine;

Licenses and regulates egg-opening plants and cold storage warehouses, maintaining regular inspection and enforcing twelve-month storage limit;

Inspects milk plants and creameries and regulates weighing, testing, buying and selling of milk and cream on a butterfat basis;

Protects honest manufacturers, importers, selling agents and ultimate users of feeding stuffs, fertilizers, lime products, linseed oil, paint, putty, turpentine, insecticides and fungicides, by means of annual registrations followed by inspections, analyses, prosecutions and publication of the analyses of these products;

Analyzes special samples for residents of the State at the rate of \$1.00 a sample for feeding stuffs, lime products and linseed oils.

**MARKETS:**    GEORGE A. STUART, *Acting Director*

Investigates and assists in the marketing of farm products; at present chiefly grain and hay, fruits and vegetables, poultry and eggs, and tobacco;

Compiles and distributes daily market information as to supplies, shipments and prices;

Advises growers on transportation of agricultural products;

Assists cooperative associations and public markets;

Establishes standard grades of farm products and maintains inspection.

**STATISTICS:**    L. H. WIBLE, *Director*

Assembles and disseminates essential statistics and facts pertaining to the agriculture of the State, from monthly reports rendered by hundreds of volunteer crop correspondents, information which assists the producer in his sales and interests all industries which deal with agricultural products;

Cooperates with U. S. Bureau of Agricultural Economics in joint crop and livestock reporting and publishes annual and monthly summaries of the data;

Compiles dates of county and local fairs and assembles data pertaining to their success and results during each year.

In accordance with the provisions of Sections 1501 and 1504 of an act of the General Assembly of Pennsylvania, approved June 7, 1923, prescribing the powers and duties of the Department of Agriculture of the Commonwealth of Pennsylvania, the standard grades for apples, potatoes, wheat, peaches, grapes, cabbage, poultry flocks, hatcheries and baby chicks are established and promulgated as follows. These grades supersede all grades for the above products which have been previously established and promulgated in Pennsylvania by the Department of Agriculture.

Approved:

C. G. JORDAN,  
Secretary of Agriculture.

GEORGE A. STUART,  
Acting Director,  
Bureau of Markets.

Harrisburg, August 30, 1928.

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# **Rules and Regulations Establishing Standard Grades for Farm Products in Pennsylvania**

## **REGULATION I—STANDARD GRADES FOR APPLES**

The standard grades for apples in Pennsylvania shall be the official standards of the United States for the inspection and certification of barreled apples as promulgated by the Secretary of Agriculture of the United States on June 30, 1927. Subsequent changes in the official standards of the United States shall automatically become effective in these standard grades. (See Page 9.)

## **REGULATION II—STANDARD GRADES FOR POTATOES**

The standard grades for potatoes in Pennsylvania shall be the official standards of the United States for the inspection and certification of potatoes as promulgated by the Secretary of Agriculture of the United States on June 30, 1927. Subsequent changes in the official standards of the United States shall automatically become effective in these standards. (See Page 14.)

## **STANDARD GRADES FOR SEED POTATOES**

**(Effective September 18, 1928)**

The standard grades for seed potatoes in Pennsylvania shall be the following:

**Pennsylvania Certified Seed Grade.** This grade shall include only potatoes which have passed the field inspection requirements of the Bureau of Plant Industry.

Potatoes showing Black Heart, or excessive sweating, sprouting or shrivelling, indicating improper storage, shall not be allowed in this grade.

This grade shall consist of potatoes of one variety which are well shaped and free from dirt or foreign matter, sunburn, second growth, growth cracks, cuts, bruises, diseases, insect injury or other damage, injury or defect; provided that the total of all potatoes showing such defects shall not exceed 2% by weight; provided further that the following tolerances by weight are not exceeded:

Common scab—3 per cent. of moderate infection.

Stem-end discoloration—5 per cent.

Wireworm injury—5 per cent of moderate injury.

Rots and freezing injury—1 per cent.

The total tolerance of all the above defects, excluding stem-end discoloration, shall not exceed 6% by weight.



The potatoes in this grade must comply with one of the following size requirements, providing that the tolerance of 3 per cent. by weight, above or below these size requirements is not exceeded:

“Standard Size”—Minimum diameter  $1\frac{7}{8}$  inches, maximum weight 12 ounces.

“Small Size”—Minimum diameter  $1\frac{1}{2}$  inches, maximum diameter  $1\frac{7}{8}$  inches.

**Pennsylvania Field Certified Seed Grade.** This grade shall consist of potatoes which have passed all field inspection requirements of the Bureau of Plant Industry, but which may not have been graded or sized according to the requirements of the “Pennsylvania Certified Seed Grade.”

### Definition of Terms

“Well shaped” means the normal, typical shape for the variety in the district where grown, and free from pointed, dumb-bell shaped, excessively elongated and other ill-formed potatoes.

“Dirt” refers to adherent mud, earth, or caked soil.

“Foreign Matter” refers to stones, vines, leaves, soil or other objectionable material.

“Sunburn” refers to greenish discoloration which will not disqualify if confined to small areas of the tuber.

“Second Growth” refers to the secondary tuber development which has caused misshapen stock.

“Growth Cracks” refers to growth fissures other than those which are shallow and well healed.

“Rots” refers to all dry and wet rots in any stage of development.

“Freezing Injury” refers to frozen tissues or tissue showing the effects of having been frozen.

“Moderate Injury or Infection” in the case of wireworm and scab shall be construed to mean that the appearance shall not be injured to an extent readily apparent upon casual examination of the lot.

“Stem-End Discoloration” refers to dark streaks in the flesh radiating from the stem, which penetrates more than  $\frac{1}{2}$  inch from the surface.

### REGULATION III—STANDARD GRADES FOR WHEAT

The standard grades for wheat in Pennsylvania shall be that portion of the Official Grain Standards of the United States which applies to wheat. Subsequent changes in the Official Grain Standards of the United States shall automatically become effective in these standard grades. (See Page 15.)

### REGULATION IV—STANDARD GRADES FOR PEACHES

The standard grades for peaches in Pennsylvania shall be the official standards of the United States for the inspection and certifi-

cation of peaches as promulgated by the Secretary of Agriculture of the United States on May 5, 1924. Subsequent changes in the official standards of the United States shall automatically become effective in these standards. (See Page 20.)

#### **REGULATION V—STANDARD GRADES FOR GRAPES**

The standard grades for grapes in Pennsylvania shall be the official standard of the United States for the inspection and certification of American (Eastern Type) bunch grapes as promulgated by the Secretary of Agriculture of the United States on June 27, 1927. Subsequent changes in the official standards of the United States shall automatically become effective in these standards. (See Page 22.)

#### **REGULATION VI—STANDARD GRADES FOR CABBAGE**

The standard grades for cabbage in Pennsylvania shall be the official standards of the United States for the inspection and certification of cabbage as promulgated by the Secretary of Agriculture of the United States on October 1, 1924. Subsequent changes in the official standards of the United States shall automatically become effective in these standards. (See Page 23.)

#### **REGULATIONS VII—STANDARD GRADES AND CLASSIFICATIONS FOR POULTRY FLOCKS, HATCHERIES, AND BABY CHICKS**

The standard grades and classification for poultry flocks, hatcheries and baby chicks in Pennsylvania shall be the following:

##### **Standard Grades for Flocks**

**“Pennsylvania Supervised Flocks”** are flocks in which each breeding bird has been inspected and found to have standard breed type and egg production qualities to a reasonably high degree. Standards for breed type will be based on the “American Standard of Perfection” and for high egg production, the standards approved by the “Poultry Science Association.”

**“Pennsylvania Accredited Flocks”** are flocks that have first met the requirements for “Pennsylvania Supervised Flocks” and in addition have passed two consecutive annual clean tests for bacillary white diarrhea.

**“Pennsylvania Certified Flocks”** are flocks which have fulfilled all requirements for “Pennsylvania Supervised Flocks” and in addition all birds must be individually handled and rigidly selected for egg production at least once each year and all birds having standard disqualifications shall be rejected. Certified females shall be mated to wing banded pedigreed males whose dams laid 200 or more eggs in one year in trap nests and after January 1, 1928, these records

must be made under some form of official state supervision. Male birds must be outstanding, possessing strong constitutional vigor, masculinity, representative of the variety and must conform to the standards designated in the "American Standard of Perfection."

**"Pennsylvania Home Record of Performance Flocks"** are flocks which have fulfilled the requirements for "Pennsylvania Certified Flocks," and in addition the females must have laid 200 or more eggs during the pullet year or 180 or more eggs during the second or later years in trap nests under official state supervision. Home Record of Performance females must be mated to Home R. O. P. or contest R. O. P. wing banded, pedigreed males, from dams with official Home R. O. P. or Contest R. O. P. records of 225 eggs or more.

### Standard Grades for Hatcheries

**"Pennsylvania Supervised Hatcheries"** are inspected hatcheries using only eggs for incubation produced by "Pennsylvania Supervised Flocks."

**"Pennsylvania Accredited Hatcheries"** are inspected hatcheries which meet the requirements of "Pennsylvania Supervised Hatcheries" and in addition use only eggs for incubation produced by "Pennsylvania Accredited Flocks."

**"Pennsylvania Certified Hatcheries"** are inspected hatcheries which meet the requirements of "Pennsylvania Supervised Hatcheries" and in addition use only eggs for incubation produced by "Pennsylvania Certified Flocks."

### Standard Grades for Baby Chicks

**"Pennsylvania Supervised Baby Chicks"** are vigorous, healthy, normal chicks produced by "Pennsylvania Supervised Flocks or Hatcheries."

**"Pennsylvania Accredited Baby Chicks"** are vigorous, healthy, normal chicks produced by "Pennsylvania Accredited Flocks or Hatcheries."

**"Pennsylvania Certified Baby Chicks"** are vigorous, healthy, normal chicks produced by "Pennsylvania Certified Flocks or Hatcheries."

**"Pennsylvania Home Record of Performance Baby Chicks"** are vigorous, healthy, normal chicks produced by "Pennsylvania Home Record of Performance Flocks."

The standard grades and classifications for poultry flocks, hatcheries, and baby chicks are further subject to additional regulations established by the Bureau of Markets.



## SUPPLEMENT

## OFFICIAL STANDARDS FOR INSPECTION OF APPLES\*

(Revised August 25, 1928)

**U. S. Fancy** shall consist of apples of one variety which are mature but not overripe, carefully hand picked, clean, well-formed, free from decay, broken skins and bruises except those incident to proper packing, sprayburn, stings or other insect injury, sunscald, visible watereore, and from injury by russeting, limbrubs, hail or mechanical or other means. Each apple of this grade shall have the amount of color specified hereinafter for the variety. (See size requirements.)

In order to allow for variations incident to proper grading and handling, not more than a total of 10 per cent. by weight, of the apples in any lot may be below the requirements of this grade, but not to exceed one-half of this tolerance, or 5 per cent. shall be allowed for defects causing serious damage, and not more than one-fifth of this amount or 1 per cent. shall be allowed for decay.<sup>1</sup>

**U. S. No. 1** shall consist of apples of one variety which are mature but not overripe, carefully hand picked, clean, fairly well formed, free from decay, broken skins and bruises except those incident to proper packing and damage caused by limbrubs, sprayburn, sunscald, russeting, hail, visible watereore, disease, insects or mechanical or other means. Each apple of this grade shall have the amount of color specified hereinafter for the variety. (See size requirements.)

In order to allow for variations incident to proper grading and handling, not more than a total of 10 per cent. by weight, of the apples in any lot may be below the requirements of this grade but not more than one-tenth of this amount or 1 per cent. shall be allowed for decay.<sup>1</sup>

**U. S. Commercial** shall consist of apples of one variety which meet the requirements of U. S. No. 1 except as to color, and provided further that early varieties such as Duchess of Oldenburg, Gravenstein, Liveland Raspberry, Red June, Summer Hagloe, Twenty Ounce, Wealthy, Williams, and other varieties which ripen at the same period need not be mature. (See size requirements.)

In order to allow for variations incident to proper grading and handling, not more than a total of 10 per cent. by weight, of the apples in any lot may be below the requirements of this grade but not more than one-tenth of this amount or 1 per cent. shall be allowed for decay.<sup>1</sup>

\*These grades, size requirements and packing requirements apply to apples packed in containers other than the standard northwestern apple box.

<sup>1</sup>Decay, scald, or other deterioration developing in storage or in transit on apples otherwise up to grade shall be considered as affecting the condition and not the grade.

**U. S. No. 2** shall consist of apples of one variety which are mature but not overripe, free from decay and from serious damage caused by dirt or other foreign matter, bruises, sprayburn, sunscald, russetting, hail, disease, insects or mechanical or other means. (See size requirements.)

In order to allow for variations incident to proper grading and handling, not more than a total of 10 per cent., by weight, of the apples in any lot may be below the requirements of this grade but not more than one-tenth of this amount or 1 per cent. shall be allowed for decay.<sup>1</sup>

**Unclassified** shall consist of apples which are not graded in conformity with any of the foregoing grades.

### Color Requirements

In addition to the foregoing requirements for U. S. No. 1 and U. S. Fancy each apple of these grades must have the percentage of color shown in the table below. "Color" means a good shade of red characteristic of the variety. Faded brown stripes shall not be considered as color except in the case of the Gray Baldwin variety.

Variety	U. S. Fancy	U. S. No. 1
Solid red:		
Arkansas Black .....	50 per cent.	25 per cent.
Black Ben Davis .....	"	"
Esopus Spitzenburg .....	"	"
Gano .....	"	"
King David .....	"	"
Lowry .....	"	"
Opalescent .....	"	"
Virginia Beauty .....	"	"
Winesap .....	"	"
Other similar varieties .....		
Red June .....	33 per cent.	15 per cent.
Other similar varieties .....	"	"
Striped or partially red:		
Delicious .....	50 per cent.	25 per cent.
Jonathan .....	"	"
Kinnaid .....	"	"
McIntosh .....	"	"
Missouri Pippin .....	"	"
Other similar varieties .....		
Arkansas (Mammoth Black Twig) .....	33 per cent.	15 per cent.
Baldwin .....	"	"
Gray Baldwin .....	"	"
Ben Davis .....	"	"
Fameuse .....	"	"
Nero .....	"	"
Northern Spy .....	"	"
Paragon .....	"	"
Ralls (Geneton) .....	"	"
Rome Beauty .....	"	"
Stayman Winesap .....	"	"

<sup>1</sup>See Footnote, p. 9.

Variety	U. S. Fancy	U. S. No. 1
Tompkins King .....	"	"
Wagner .....	"	"
Wealthy .....	"	"
Williams .....	"	"
Willowtwig .....	"	"
York Imperial .....	"	"
Other similar varieties .....	"	"
Duchess of Oldenburg .....	25 per cent.	10 per cent.
Gravenstein .....	"	"
Hubbardston .....	"	"
Red Astrachan .....	"	"
Smokehouse .....	"	"
Stark .....	"	"
Summer Rambo .....	"	"
Other similar varieties .....	"	"
Twenty Ounce .....	"	none
Other similar varieties .....	"	"
Red Cheeked or blushed:		
Hyde King .....	Blushed cheek	"
Maiden Blush .....	"	"
Monmouth (Red Cheeked Pippin)	"	"
Winter Banana .....	"	"
Other red cheeked or blushed varieties .....	"	"
Yellow or green varieties .....	Characteristic color	Characteristic color

### Size Requirements

The minimum size of the apples in any closed container shall be plainly stamped, stenciled or otherwise marked on the container, as  $2\frac{1}{4}$  inches minimum. It is suggested that both the minimum and maximum sizes be marked on the container, as  $2\frac{1}{4}$  to  $2\frac{3}{4}$  inches;  $2\frac{1}{2}$  to  $2\frac{3}{4}$  inches, as such marking is especially desirable for apples marketed in the export trade.

"Minimum size" means the transverse diameter of the smallest apples permitted in the container taken at right angles to a line running from the stem to the blossom end. Minimum sizes shall be stated in terms of whole and quarter inches, or whole and eighth inches as  $2\frac{1}{2}$  inches minimum,  $2\frac{5}{8}$  inches minimum,  $2\frac{3}{4}$  inches minimum, in accordance with the facts.

In order to allow for variation incident to proper sizing, not more than 5 per cent., by weight, of the apples in any container may be below the specified minimum size. Where the maximum and minimum sizes are both stated, an additional 10 per cent. tolerance is provided for apples which are larger than the maximum size stated.

### Packing Requirements

Each package shall be packed so that the apples in the shown face shall be reasonably representative in size, color, and quality, of the contents of the package.

## Standards for Export<sup>1</sup>

(As applied to condition factors)

1. The apples in any lot shall be tightly packed when in barrels or baskets and shall be either fairly tight or tightly packed when in boxes.
2. They shall not be further advanced in maturity than firm ripe.
3. Not more than a total of 5 per cent. of the apples in any lot shall be damaged by bitter pit, Jonathan spot, scald, internal breakdown, water core, freezing, decay, or other condition factors, except that:
  - (a) Not more than 2 per cent. shall be allowed for apples affected by decay.
  - (b) Not more than 2 per cent. shall be allowed for damage by internal breakdown.
  - (c) The apples shall be free from scald unless they are packed in oiled paper or have been especially treated with oil to prevent scald, when not more than 2% of slight scald shall be permitted.

## Definitions of Terms

As used in these grades:

1. "Mature" means having reached the stage of maturity which will insure the proper completion of the ripening process.
2. "Clean" means free from excessive dirt, dust, spray residue or other foreign material.
3. "Carefully hand picked" means that the apples do not show evidence of rough handling or of having been on the ground.
4. "Well-formed" means that the apples have the shape characteristic of the variety in the locality where grown.
5. "Fairly well formed" means that the apples may be slightly abnormal in shape but not to an extent which detracts materially from the appearance of the fruit.
6. "Injury by russetting, limbrubs and hail" means (a) Light brown limbrubs affecting a total area of over  $\frac{1}{2}$  inch in diameter; (b) Smooth net-like russetting extending over an area of more than  $\frac{1}{4}$  of the surface in the aggregate; (c) Smooth solid russetting extending over an area of more than one-tenth of the surface in the aggregate; (d) Rough or bark-like russetting affecting a total area of more than  $\frac{1}{4}$  inch in diameter; (e) Hail marks where the injury is more than superficial or superficial hail marks exceeding  $\frac{1}{4}$  inch in the aggregate, or where the skin has been broken.
7. "Damage" means any injury or defect which materially affects

<sup>1</sup> These standards apply to apples when packed in any container.



the appearance or keeping quality. Any one of the following defects, or any combination thereof the seriousness of which exceeds the maximum allowed for any one defect shall be considered as damage:

(a) Dark brown or black limbrubs over  $\frac{1}{2}$  inch in diameter, or light brown limbrubs over 1 inch in diameter.

(b) Sprayburn and sunscald where the normal color of the apple is materially changed or the skin is blistered or cracked.

(c) Smooth net-like russeting extending over an area of more than one-fourth of the surface in the aggregate.

(d) Smooth solid russeting extending over an area of more than one-tenth of the surface in the aggregate.

(e) Rough or bark-like russeting affecting a total area of more than  $\frac{1}{2}$  inch in diameter.

(f) Hail marks where the injury is more than superficial or superficial hail marks exceeding  $\frac{1}{2}$  inch in the aggregate, or where the skin has been broken.

(g) Scab spots which are not corked over or corked over scab spots affecting a total area of more than  $\frac{1}{4}$  inch in diameter.

(h) More than two healed insect stings either of which is over  $\frac{1}{8}$  inch in diameter exclusive of any encircling discolored ring.

(i) Cedar rust infection which exceeds in the aggregate an area of  $\frac{1}{4}$  inch in diameter.

(j) Worm holes.

(k) Sooty Blotch or Fly Speck which is thinly scattered over more than one-tenth of the surface or dark, heavily concentrated spots affecting an area of more than  $\frac{1}{2}$  inch in diameter.

8. "Serious damage" means any injury or defect which seriously affects the appearance or keeping quality. The following defects shall be considered as serious damage:

(a) Limbrubs, sprayburn and sunscald which seriously detract from the appearance of the apple.

(b) Smooth solid russeting extending over more than one-half of the surface in the aggregate.

(c) Rough or bark-like russeting, hail marks, or healed stings which materially deform or disfigure the fruit.

(d) Scab spots which are not corked over or corked-over scab spots affecting a total area of more than three-fourths inches in diameter.

(e) Cedar rust infection which exceeds in the aggregate an area of  $\frac{3}{4}$  inch in diameter.

(f) Sooty Blotch and Fly Speck affecting more than one-third of the surface.

(g) Worm holes.

## OFFICIAL STANDARDS FOR INSPECTION OF POTATOES

(Revised June 30, 1927)

For Pennsylvania Certified Seed Potato Grades see page 5

**U. S. No. 1** shall consist of potatoes of similar varietal characteristics which are not badly misshapen, which are free from freezing injury and soft rot, and from damage caused by dirt or other foreign matter, sunburn, second growth, growth cracks, hollow heart, cuts, scab, blight, dry rot, disease, insects, or mechanical or other means.

The diameter of potatoes of round varieties shall be not less than  $1\frac{7}{8}$  inches and of potatoes of long varieties  $1\frac{3}{4}$  inches, but lots of potatoes which are less than  $1\frac{1}{2}$  inches in diameter and which meet the remaining requirements of this grade may be designated "U. S. No. 1,  $1\frac{1}{2}$  inches minimum."

In order to allow for variations incident to proper grading and handling, not more than 5 per cent., by weight, of any lot may be below the prescribed size. In addition not more than 5 per cent., by weight, may be damaged by hollow heart, and not more than 6 per cent. may be below the remaining requirements of this grade, but not to exceed one-sixth of this amount or 1 per cent. shall be allowed for potatoes affected by soft rot.<sup>1</sup>

**U. S. No. 2** shall consist of potatoes of similar varietal characteristics which are free from freezing injury and soft rot and from serious damage caused by sunburn, second growth, growth cracks, hollow heart, cuts, scab, blight, dry rot, disease, insects, or mechanical or other means.

The diameter of potatoes of this grade shall be not less than  $1\frac{1}{2}$  inches.

In order to allow for variations incident to proper grading and handling, not more than 5 per cent., by weight, of any lot may be below the prescribed size, and, in addition, not more than 6 per cent., by weight, may be below the remaining requirements of this grade, but not to exceed one-sixth of this tolerance or 1 per cent. shall be allowed for potatoes affected by soft rot.<sup>1</sup>

**U. S. Fancy** shall consist of potatoes of one variety which are mature, bright, well shaped, free from freezing injury, soft rot, dirt or other foreign matter, sunburn, second growth, growth cracks, hollow heart, cuts, scab, blight, dry rot, disease, insect or mechanical injury, and other defects.

The size shall be stated in terms of minimum diameter or minimum weight or of range in diameter or weight following the grade name, but in no case shall the diameter be less than 2 inches.<sup>2</sup>

<sup>1</sup>Soft rot or other deterioration developing in transit on potatoes otherwise up to grade shall be considered as affecting the condition and not the grade.

<sup>2</sup>Such statements as the following will be considered as meeting the requirements: "U. S. Fancy, 2 to  $3\frac{1}{4}$  inches"; "U. S. Fancy, 10 ounces to 16 ounces"; "U. S. Fancy, 2 inches minimum"; "U. S. Fancy, 10 ounces minimum."

In order to allow for variations incident to proper grading and handling, not more than 5 per cent., by weight, of any lot may vary from the size stated and, in addition, not more than 6 per cent., by weight, of any lot may be below the remaining requirements of this grade, but not to exceed one-sixth of this tolerance or 1 per cent. shall be allowed for potatoes affected by soft rot.<sup>1</sup>

### Definitions of Terms

As used in these grades:

“Mature” means that the outer skin (epidermis) does not loosen or “feather” readily during the ordinary methods of handling.

“Bright” means free from dirt or other foreign matter, damage or discoloration from any cause, so that the outer skin (epidermis) has the attractive color normal for the variety.

“Well shaped” means the normal, typical shape for the variety in the district where grown, and free from pointed, dumb-bell shaped, excessively elongated, and other ill-formed potatoes.

“Soft rot” means any soft or mushy conditions of the tissue, such as slimy soft rot, wet fusarium or wet breakdown following freezing injury or sunscald.

“Diameter” means the greatest dimension at right angles to the longitudinal axis. The long axis shall be used without regard to the position of the stem (rhizome).

“Free \* \* \* from damage” means that the appearance shall not be injured to an extent readily apparent upon casual examination of the lot, and that any damage from the causes mentioned can be removed in the ordinary process of preparation for use without appreciable waste. Loss of outer skin (epidermis) shall not be considered as an injury to the appearance.

“Badly misshapen” means of such shape as to cause appreciable waste in the ordinary process of preparation for use.

“Free from serious damage” means that the appearance shall not be seriously injured to an extent readily apparent upon casual examination of the lot and that any damage from the causes mentioned can be removed in the ordinary process of preparation for use without a waste of 10 per cent. or more of the total weight.

### OFFICIAL GRAIN STANDARDS (WHEAT)

#### Soft Red Winter Wheat (Class IV)

This class shall include all varieties of Soft Red Winter wheat and may include not more than 10 per cent. of other wheat or wheats. This class shall be divided into two subclasses as follows: (Subclass (b) western red not given herewith).

<sup>1</sup> See Footnote No. 1, p. 14.

**Subclass (a) Red Winter**

This subclass shall include wheat of the class Soft Red Winter consisting of both light and dark colored kernels. This subclass shall not include more than 10 per cent. of Soft Red Winter wheat possessing the characteristics of wheat of this class as grown west of the Great Plains area of the United States.

**Class IV.—Soft Red Winter Wheat**

Grade requirements for—

(a) *Red Winter*, (b) *Western Red*

Grade No.	per weight test  Minimum bushel	Moisture	Maximum limits of—					
			Damaged kernels		Foreign material other than dockage		Wheats of other classes	
			Total	Heat damage	Total	Matter other than cereal grains	Total	Durum
	<i>Lbs.</i>	<i>P. ct.</i>	<i>P. ct.</i>	<i>P. ct.</i>	<i>P. ct.</i>	<i>P. ct.</i>	<i>P. ct.</i>	<i>P. ct.</i>
1 .....	60	13.5	2	0.1	1	0.5	5	2
2 .....	58	14.0	4	.2	2	1.0	10	3
3 .....	56	14.5	7	.5	3	2.0	10	10
4 .....	54	15.5	10	1.0	5	3.0	10	10
5 .....	51	15.5	15	3.0	7	5.0	10	10
Sample grade .....	Sample grade shall be wheat of the subclass Red Winter or Western Red, respectively, which does not come within the requirements of any of the grades from No. 1 to No. 5, inclusive, or which has any commercially objectionable foreign odor except of smut, garlic, or wild onions, or is very sour, or is heating, hot, or is otherwise of distinctly low quality, or contains small, inseparable stones or cinders.							

(1) The wheat in grades Nos. 1 to 4, inclusive, shall be cool and sweet.

(2) The wheat in grade No. 5 shall be cool, but may be musty or slightly sour.

**GRADES FOR MIXED WHEAT, TREATED, GARLICKY, SMUTTY,  
AND WEEVILY WHEAT**

**Mixed wheat.** Mixed wheat shall be any mixture of wheat not provided for in the classes from I to V, inclusive.

**Grades for mixed wheat.**—Mixed wheat shall be graded according to each of the grade requirements common to all of the subclasses of the class of the wheat which predominates over each other class



in the mixture, except that all of the grade requirements in any subclass as to the maximum percentage of other wheat or other varieties of wheat shall be disregarded. The grade designation of mixed wheat shall, except in the case of Mixed Durum, include, successively, in the order named, the number of the grade or the words "Sample Grade," as the case may be, the words "Mixed wheat," and, in the order of its predominance, the name and approximate percentage of each class of wheat which constitutes 10 per cent. or more of the mixture, but if only one class exceeds 10 per cent. of the mixture the name and approximate percentage of that class shall be added to the grade designation, followed by the name and approximate percentage of at least one other class.

### **Treated Wheat**

**Treated wheat.**—Treated wheat shall be wheat which has been scoured, limed, washed, sulphured, or treated in such a manner that its true quality is not reflected by the numerical grade designation, including Sample Grade, alone.

**Grades for treated wheat.**—Treated wheat shall be graded and designated according to the grade requirements of the standard applicable to such wheat if it were not treated, and there shall be added to, and made a part of, its grade designation a statement indicating the kind of treatment.

### **Garlicky Wheat**

**Garlicky wheat.**—Garlicky wheat shall be all wheat which has an unmistakable odor of garlic or wild onions, or which contains garlic or wild onion bulblets in a quantity equal to one or more bulblets in 1,000 grams of wheat.

**Grades for garlicky wheat.**—Garlicky wheat shall be graded and designated according to the method described either in paragraph (a) applicable to such wheat if it were not garlicky, and there shall be added to, and made a part of, its grade designation the word "Garlicky."

NOTE—The regulations pursuant to the United States grain standards Act provide that "(o) unless issued for an export shipment, in the case of wheat graded 'Garlicky' on account of the presence of garlic or wild onion bulblets, there shall be stated in the space for 'Remarks' the approximate quantity of garlic or wild onion bulblets present, using the following terms: 'Light garlicky,' 'Medium garlicky,' or 'Heavy garlicky.' 'Light garlicky' is hereby defined to mean garlic or wild onion bulblets in an amount equal to 1 to 3 bulblets, inclusive, in 1,000 grams; 'Medium garlicky' is hereby defined to mean garlic or wild onion bulblets in an amount equal to 4 to 15 bulblets, inclusive, in 1,000 grams; and 'Heavy garlicky' is hereby defined to mean garlic or wild onion bulblets in an amount equal to more than 15 bulblets in 1,000 grams."

### **Smutty Wheat**

**Smutty wheat.**—Smutty wheat shall be all wheat which has an unmistakable odor of smut, or which contains spores, balls, or portions of balls, of smut in excess of a quantity equal to two balls of average size in 50 grams of wheat.

**Grades for smutty wheat.**—Smutty wheat shall be graded and designated according to the method described either in paragraph (a) or paragraph (b) of this section.

(a) Before the determination of smut dockage as provided in this paragraph, the wheat shall be graded and designated according to the grade requirements of the standard applicable to such wheat if it were not smutty, except that (1) smut balls shall not be considered as foreign material other than dockage. The loss in weight caused by the removal of smut from the wheat shall be ascertained by scouring, washing, or otherwise, and shall be calculated in terms of percentage based on the total weight of the grain free from dockage. The percentage so calculated shall be stated in terms of whole per cent. and half per cent. A fraction of a per cent. when equal to, or greater than, a half shall be treated as a half, and when less than half shall be disregarded. The percentage of the "smut dockage," so calculated and stated, shall be added to the grade designation preceding the statement of dockage, if any.

(b) Smutty wheat shall be graded and designated according to the grade requirements of the standard applicable to such wheat if it were not smutty, except that (1) smut balls shall not be considered as foreign material other than dockage, and (2) when the amount of smut present is so great that any one or more of the grade requirements of the grades from No. 1 to No. 5, inclusive, can not be applied accurately, the wheat shall be classified as Sample Grade. For all grades there shall be added to and made a part of the grade designation preceding the statement of dockage, if any, the word "Smutty."

### Weevily Wheat

**Weevily wheat.**—Weevily wheat shall be all wheat which is infested with live weevils or other insects injurious to stored grain.

**Grades for weevily wheat.**—Weevily wheat shall be graded and designated according to the grade requirements of the standards applicable to such wheat if it were not weevily, and there shall be added to, and made part of, the grade designation the word "Weevily."

### Definitions

For the purpose of the official grain standards of the United States for wheat:

**Wheat.**—Wheat shall be any grain which before the removal of dockage consists of 50 per cent. or more of wheat and when free from dockage contains not more than 10 per cent. of cereal grain of a kind or kinds other than wheat. The term wheat in these stand-

ards shall not include emmer, spelt, einkorn, Polish, and poulard wheat.

**Basis of determinations.**—Each determination of dockage, moisture, temperature, odor, onions, garlic, and live weevils or other insects injurious to stored grain shall be upon the basis of the grain including dockage. All other determinations shall be upon the basis of the grain when free from dockage.

**Percentages.**—Percentages, except in the case of moisture, shall be percentages ascertained by weight.

**Percentage of moisture.**—Percentage of moisture in wheat shall be that ascertained by the moisture tester and the method of use thereof described in Circular No. 72 and supplement thereto, issued by the United States Department of Agriculture, Bureau of Plant Industry, or ascertained by any device and method giving equivalent results.

**Test Weight per bushel.**—Test weight per bushel shall be the weight per Winchester bushel as determined by the testing apparatus and the method of use thereof described in Bulletin No. 472, dated October 30, 1916, issued by the United States Department of Agriculture, or as determined by any device and method giving equivalent results.

NOTE—Under regulations pursuant to the United States grain standards Act, licensed inspectors are required to state under "Remarks" in all certificates issued by them for wheat, unless issued for an export shipment, the test weight per bushel in whole pounds and tenths of a pound.

**Dockage.**—Dockage includes sand, dirt, weed seeds, weed stems, chaff, straw, grain other than wheat, and any other foreign material which can be removed readily from the wheat by the use of appropriate sieves, cleaning devices, or other practical means suited to separate the foreign material present; also undeveloped, shriveled, and small pieces of wheat kernels removed in properly separating the foreign material, and which can not be recovered by properly rescreening or recleaning. The quantity of dockage shall be calculated in terms of percentage based on the total weight of the grain including the dockage. The percentage of dockage so calculated, when equal to 1 per cent. or more, shall be stated in terms of whole per cent., and when less than 1 per cent. shall not be stated. A fraction of a per cent shall be disregarded. The percentage of dockage, so determined and stated, shall be added to the grade designation.

**Foreign material other than dockage.**—Foreign material other than dockage shall include all matter other than wheat which is not separated from the wheat in the proper determination of dockage, except as provided in the case of smutty wheat.

**Cereal grains.**—Cereal grains shall include rye, barley, emmer, spelt, einkorn, Polish wheat, poulard wheat, corn, grain sorghums, oats, and rice, and shall not include buckwheat, flaxseed, and wild oats.



**Heat-damaged kernels.**—Heat-damaged kernels shall be kernels and pieces of kernels of wheat which have been distinctly discolored by external heat or as a result of heating caused by fermentation.

## OFFICIAL STANDARDS FOR INSPECTION OF PEACHES

(Revised May 5, 1924)

**U. S. No. 1** shall consist of peaches of one variety which are firm, mature, and well formed, free from growth cracks, cuts, skin-breaks and worm holes and from damage caused by dirt, seab, scale, hail, disease, insects or mechanical or other means.

In order to allow for variations incident to proper grading and handling, not more than 10 per cent., by count, may be below the requirements of this grade, but not to exceed a total of 5 per cent. shall be allowed for defects causing serious damage, and not more than 1/5 of this amount or 1 per cent. shall be allowed for decay.

**U. S. No. 2** shall consist of peaches of one variety which are firm and mature and free from worm holes and serious damage caused by growth cracks, disease, insects, hail or mechanical or other means.

In order to allow for variations incident to proper grading and handling not more than 10 per cent., by count, of any lot may be below the requirements of this grade, and not more than 1/10 of this amount or 1 per cent. shall be allowed for decay.

**U. S. No. 3** shall consist of peaches which do not meet the requirements of the foregoing grades.

### Marking Requirements for Size

The minimum size, numerical count, or description of pack of the peaches in any package shall be plainly labeled, stenciled or otherwise marked on the package.

“Minimum size” refers to the diameter (as hereinafter defined) of the smallest peach. It shall be stated in terms of whole and quarter inches as 2” min., 2¼” min., 2¾” min., and so on, in accordance with the facts. In order to allow for variations incident to proper sizing, not more than 10 per cent. by count, of the peaches in any package may be below the minimum size specified.

Description of pack refers especially to peaches packed in 6-basket carriers. When used, it shall include the arrangement of the peaches in each layer in the baskets and the total number of layers in the crate and shall be indicated as follows: 2-2, 6 layer; 2-2, 5 layer; 3-2, 6 layer; and so on in accordance with the facts.

### U. S. Fancy No. 1

**U. S. Fancy No. 1** is provided for the use of those who wish a special grade for the superior peaches which meet its requirements. The marking requirements for size shall be the same as those for the foregoing grades.



**U. S. Fancy No. 1** shall consist of peaches of one variety which are firm, mature, and well formed, and which are free from dirt, growth cracks, hail injury, cuts, skin-breaks, disease, insect or mechanical injury, and other blemishes or defects.

Each peach shall meet the following color requirements which are expressed in terms of the percentage of the surface covered with characteristic red color.

**50 per cent. or more**

Carman  
Early Rose  
Early Crawford  
Hiley  
Other similar varieties

Mayflower  
Red Bird  
(Early Wheeler)  
St. John  
Triumph

**25 per cent. or more**

Belle of Georgia  
Elberta  
J. H. Hale  
Late Crawford  
Stump  
Other similar varieties

**15 per cent. or more**

Bilbeau  
Champion  
Greensboro  
Slappy  
Smock  
Other similar varieties

In order to allow for variations incident to proper grading and handling, not more than 10 per cent., by count, of any lot may be below the prescribed color requirements. In addition, not more than 10 per cent., by count, may be below the requirements of this grade, but not to exceed a total of 5 per cent. shall be allowed for defects causing serious damage, and not more than 1/5 of this amount or 1 per cent. shall be allowed for decay.

### Definitions of Terms

As used in these grades:

“Firm” means mature but not soft or overripe.

“Mature” means having reached the stage of maturity which will insure a proper completion of the ripening process.

“Well formed” means having the shape characteristic of the variety.

“Free from damage” means that the peach shall not be injured to an extent readily apparent in the process of proper grading and handling.

“Serious damage” means decay or any deformity, or injury which causes breaking of the skin, or which seriously affects the appearance but well healed growth cracks, not over 1/2 inch in length, or scab spots thinly scattered over not more than one half of the surface of the fruit shall not be regarded as serious damage.

“Diameter” means the smallest diameter, measured through the center of the peach, at right angles to a line running from the stem to the blossom end.

**OFFICIAL STANDARDS FOR INSPECTION OF AMERICAN  
(EASTERN TYPE) BUNCH GRAPES**

(Revised June 1, 1928)

**U. S. Fancy Table Grapes** shall consist of grapes of one variety which are well colored, mature, firmly attached to capstems, not shattered, split, crushed, dried, wet or soft; which are free from mold, decay, mildew, berry moth, russetting, and from damage caused by freezing, disease, insects, or other means. Not less than 75 per cent. of the bunches shall be compact and the remainder shall be fairly compact. Compact portions of bunches consisting of no less than five (5) berries may be used to fill open spaces between whole bunches.

In order to allow for variations incident to proper grading and handling, not more than 10 per cent., by weight, of the berries in any lot may be below the requirements of this grade, but not more than one-tenth of this amount or 1 per cent., may be affected by mold or decay. In addition, not more than 5 per cent., by weight, of any lot may consist of bunches which are straggly.

**U. S. No. 1 Table Grapes** shall consist of grapes of one variety which are fairly well colored, mature, firmly attached to capstems, not shattered, split, crushed, dried, wet or soft, which are free from mold, decay, mildew, berry moth, and from damage caused by russetting, hail, freezing, disease, insects or other means. Not less than 85 per cent. of the bunches shall be fairly compact.

In order to allow for variations incident to proper grading and handling, not more than 10 per cent., by weight, of the berries in any lot may be below the requirements of this grade, but not more than one-fifth of this amount or 2 per cent., may be affected by mold or decay.

**U. S. No. 1 Juice Grapes** shall consist of grapes of one variety which are fairly well colored, mature, firmly attached to capstems, not shattered, split, crushed, dried, wet or soft, which are free from mold, decay, mildew, berry moth, and from serious damage caused by russetting, hail, freezing, disease, insects or other means. Not less than 75% of the bunches shall be fairly compact.

In order to allow for variations incident to proper grading and handling, not more than 10 per cent., by weight, of the berries in any lot may be below the requirements of this grade, but not more than one-fifth of this amount or 2 per cent., may be affected by mold or decay.

### **Mixed Varieties**

Any lot of grapes consisting of more than one variety which meets all other requirements of "U. S. Fancy Table," "U. S. No. 1 Table"

or "U. S. No. 1 Juice" may be designated as "U. S. Fancy Table Mixed," "U. S. No. 1 Table Mixed," or "U. S. No. 1 Juice Mixed."

**Unclassified.** Grapes which are not graded in conformity with the foregoing grades may be designated as Unclassified.

### Definitions of Terms

As used in these grades:

"Mature" means that the grapes are juicy, palatable and have reached that stage of development at which the skin of the berry easily separates from the pulp. Frozen or slightly frosted stock should not be confused with mature stock.

"Well colored" means that the berries shall show full color characteristic of the variety.

"Fairly well colored" means that not less than 75 per cent., by weight, shall show full color characteristic of the variety. 25 per cent. may show partially or poorly colored berries which are not characteristic of immature berries.

"Shattered berries" means berries which have separated from the bunch.

"Compact bunches" means well filled bunches, with no open spaces.

"Fairly compact" means that the bunches are well filled but that the berries are not closely spaced as in "compact bunches."

"Damage" means any injury which materially affects the appearance or the edible or shipping quality.

"Serious damage" means that the defects taken singly or collectively seriously affect the market quality.

"Straggly" means a decidedly open bunch with large open spaces and very few berries. Small immature shotberries characteristic of the Worden variety should be disregarded unless they are excessive in number and detract materially from the appearance of the lot.

### OFFICIAL STANDARDS FOR INSPECTION OF CABBAGE

(Revised October 1, 1927)

**U. S. No. 1** shall consist of heads of cabbage which are of one type, of reasonable solidity and well trimmed; which are not soft, withered, puffy or burst; which are free from soft rot, seed stems and from damage caused by discoloration, freezing, disease, insects or mechanical or other means.

In order to allow for variations incident to proper grading and handling, not more than 10 per cent., by weight, of any lot may be below the requirements of this grade but not to exceed one-fifth of this amount or 2 per cent. may be allowed for decay.

**U. S. No. 2** shall consist of heads of cabbage which do not meet the requirements of the foregoing grades.

## Size

In addition to the statement of grade, any lot may be classified as Small, Medium, Large, Small to Medium, or Medium to Large.

	Small	Medium	Large
Pointed	under 1½ lbs.	1½ to 3 lbs.	Over 3 lbs.
Domestic	under 2 lbs.	2 to 5 lbs.	Over 5 lbs.
Danish	under 3 lbs.	3 to 6 lbs.	Over 6 lbs.

In order to allow for variations in sizing not more than a total of 15 per cent., by weight, of any lot may vary from the size specifications but not more than 10 per cent. may be either above or below requirements for each class. This tolerance is in addition to the tolerance for the grade.

## Definitions of Terms

As used in these grades:

“One Type” means that all the lot is Pointed, Danish, Domestic, Savoy or Red as the case may be. Pointed type includes such varieties as Early Jersey Wakefield, Charleston Wakefield, Early York, Winningstadt, and others which normally develop oblong, conical or pointed shaped heads. Danish type includes such late maturing varieties as Danish Ballhead or Hollander, Danish Roundhead, etc., and such early maturing varieties as Cannonball, Danish Summer Ballhead, etc., which normally develop hard, tightleaved, compactly formed heads. A head of any such variety even after trimming will appear tight and smooth leaved around the basal portion and when viewed from the stem end, circular and regular in outline. Domestic type includes such varieties as Succession, All Head Early, Flat Dutch and others that are commonly termed Domestic and which normally develop heads flat in shape and less compactly formed than those of the Danish type. The term also includes such varieties as Copenhagen, Glory of Enkhuizen and others that develop heads roundish in shape but which in solidity of head and storage qualities are similar to the Flat Domestic type.

“Reasonable solidity” means fairly firm for pointed type cabbage and southern Domestic type cabbage. Northern Domestic type cabbage shall be firm and Danish or Hollander type fairly hard.

“Well trimmed” means that the head shall have not more than four wrapper leaves attached and any portion of these leaves appreciably injured by worms or other means shall be removed, and the stem shall be not longer than one-half inch.

“Soft” means loosely formed or lacking compactness.

“Puffy” means that the heads are very light in weight in comparison to size and have air spaces in the central portion. They



normally feel firm at time of harvesting but soften quickly. They are known as "Balloon Heads" in certain sections.

"Seed Stems" means those heads which have seed stalks showing or in which the formation of seed stalks has plainly begun.

"Free from damage" means that the head shall not be injured to an extent readily apparent upon examination.

## BUREAU OF MARKETS LAW

Act of July 9, 1919, No. 337, P. L. 809 as amended by Act of May 17, 1921, No. 288, P. L. 289; Act of May 23, 1923, No. 207, P. L. 321; and Act of May 4, 1927, No. 372.

### AN ACT

Prescribing the powers and duties of the Bureau of Markets in the Department of Agriculture; providing for cooperation with the Bureau of Standards of the Department of Internal Affairs to establish standard receptacles for farm products, and to promulgate regulations for enforcement thereof; and prescribing penalties for violations of the provisions of this act.

Section 1. Be it enacted, &c., That in order to promote efficient and economical methods of marketing farm products, the Bureau of Markets in the Department of Agriculture, under the direction of the Secretary of Agriculture, shall have power:

- (a) To investigate the subject of marketing farm products, including the costs of marketing, to publish the results of such investigations, and to furnish advice and assistance to the public with reference to the marketing of farm products within this Commonwealth and all matters relevant thereto.
- (b) To gather and diffuse timely information concerning the supply, demand, prevailing prices, and commercial movement of farm products, including quantities in common and cold storage.
- (c) To secure, in the performance of the duties herein prescribed, the cooperation and assistance of all other agencies.
- (d) To assist and advise in the organization and conduct of public markets, of cooperative and other associations for improving marketing conditions and activities among producers, distributors, and consumers.
- (e) To investigate delays, embargoes, conditions, practices, charges, and rates in the transportation and storage of all farm products, which appear to be detrimental to a free, economical, and efficient marketing of such products.
- (f) To take such lawful steps as may be deemed advisable to prevent waste of perishable products.

Section 2. After investigation and public hearing, and with the approval of the Secretary of Agriculture, the bureau may, from time to time, as far as practicable, establish and promulgate standards for the grade and other classification of farm products; and, in cooperation with the Bureau of Standards of the Department of Internal Affairs, the bureau may establish and promulgate standards for receptacles for farm products, by which their quality, value, or quantity may be determined, and may make regulations governing the marks, brands, and labels, which may be required upon receptacles for farm products for the purpose of showing the name and address of the producer or packer or distributor, the quantity, nature, and quality of the product, or any of them and for the purpose of preventing deception with reference thereto. The provisions of this paragraph shall not apply to canned farm products.

Any standard for any farm product, or any standard for any receptacle for farm products, or any requirement for marking receptacles for farm products, now or hereafter made mandatory under authority of the Congress of the United States, shall forthwith, as far as applicable, be established or prescribed and promulgated by the bureau as the official standard or requirement in this State.

No standard established or requirement for marking prescribed under this section shall become effective until the expiration of not less than three months after it shall have been promulgated. (Section 2 as amended May 23, 1923, and May 4, 1927.)

Section 3. Whenever any standard for the grade or other classification of any farm product becomes effective under this act, no person thereafter shall pack for sale, offer for sale, consign for sale, or sell, any such farm product [grown, manufactured, or prepared] within this State, to which such standard is applicable, unless it conform to such standard, subject to such variations therefrom as may be allowed in the rules and regulations made under this act, except that any such farm product may be packed, offered, or consigned for sale, or sold, without conforming to the standard for the grade or other classification applicable thereto, if the product or the package containing it is not described, marked, or labeled in such a way as to indicate, or to appear upon ordinary observation, that the product conforms to the standard.

The director is authorized to make such rules and regulations under this act as may be deemed necessary to prevent deception with reference to any standards made effective under the act, except as it applies, to standard receptacles for farm products.

Whenever any standard for a receptacle for farm products becomes effective under this act, no person thereafter shall manufacture for sale or shipment, sell,

offer for sale, consign for sale, or ship any receptacle, either filled or unfilled, to which the standard is applicable, unless the receptacle conform to the standard, subject to such variations therefrom as may be allowed in the regulations made under this act. The Bureau of Markets and the Bureau of Standards of the Department of Internal Affairs, by their joint action, are authorized to make such rules and regulations under this act as may be deemed necessary to enforce the provisions of this section relating to standard receptacles for farm products.

Whenever any requirement for the marking, branding, or labeling of a receptacle for farm products becomes effective under this act, no person thereafter shall pack for sale, offer for sale, consign for sale, or sell and deliver farm products in a receptacle to which such requirement is applicable unless the receptacle be marked, branded, or labeled according to such requirement, or unless such product be brought from outside the State and offered for sale, consigned for sale, or sold in the original package.

The director is authorized, at any time, to cause such investigations, classifications, and tests to be made, and such certificates to be issued, and, upon payment or tender of payment of the market value thereof, to cause such samples to be taken as he may deem necessary to enforce the provisions of this act. (Section 3 as amended May 23, 1923, and May 4, 1927.)

Section 4. The director may designate any competent employe or agent of the Bureau of Markets, and, upon satisfactory evidence of competency, may license any other person to make, upon request, investigations and classifications of farm products. When any such investigation and classification is made, the employe or agent shall issue a certificate of the grade or other classification of the farm product involved.

The director is authorized to fix, assess, and collect, or cause to be collected, fees for such services when they are performed by employes or agents of the Bureau of Markets. Licensed agents may charge and collect as compensation for such services only such fees as may be approved by the director.

The director may suspend or revoke any license whenever, after opportunity for a hearing has been afforded to the licensee, the director shall determine that such licensee is incompetent, or has knowingly or carelessly failed to classify any farm product correctly, or has violated any provision of this act or of the regulations made hereunder. Pending investigation the director may suspend a license temporarily without a hearing. (Section 4 as amended May 17, 1921.)

Section 5. Any interested party, within a reasonable time to be prescribed in the regulations made under this act, may appeal to the director from the classification of any farm product authorized under this act, and the director shall thereupon cause such investigation to be made and such tests to be applied as he may deem necessary to determine the true classification, and shall issue a finding of the grade or other classification thereof. Whenever an appeal shall be taken to the director under this act, he shall charge and assess and collect, or cause to be collected, a reasonable fee, to be fixed by him, which shall be refunded if the appeal is sustained.

Section 6. A certificate, when not superseded by a finding or a finding of the grade or other classification of any farm product issued under his act, shall be accepted in any court of this State as prima facie evidence of the true grade or other classification of such farm product at the time of its classification.

Section 7. Repealed by Act 386, approved May 4, 1927, which provides that all fees and other moneys collected under this act by the director and by his employes or agents in their official capacities shall be deposited in the general fund of the State Treasury.

Section 8. Any person in this State engaged in marketing farm products shall furnish the bureau, upon request, on such date or dates and in such form as may be prescribed, reports orally or in writing, concerning the demand for and the supply, consumption, cost, value, price, sale, payment, grade, condition, period of the holding of any farm product in storage and any other information regarding the marketing of farm products.

The director is authorized to verify the accuracy of the reports provided for in this section, and to make the results of such investigations public, subject to the approval of the Secretary of Agriculture. (Section 8 as amended May 4, 1927.)

Section 9. In carrying out the provisions of this act, the director, his employes or agents, are authorized to enter, on any business day during the usual hours of business, any storehouse, warehouse, cold-storage plant, packing house, stockyard, railroad yard, railroad car, or any other building or place where farm products are marketed. (Section 9 as amended May 4, 1927.)

Section 10. In carrying out the provisions of this act, the director, or his employes designated by him for the purpose, may require the attendance before him or any of them of any person from whom reports have been requested or of any employe of such person, may administer oaths to and take testimony of any such person or his employe, and may require the production by such persons or their employes of any books, records, and other documentary evidence relating to the farm product about which reports have been requested.

Section 11. Any person who violates any provisions of this act or of the regulations made under this act for carrying out said provisions; or who fails or refuses to comply with, or, with intent to deceive, answers or reports falsely in response to, any requirements of this act; or who wilfully interferes with the director, his employes, or agents in the execution or on account of the execution of his or their duties prescribed in this act,—shall be guilty of a misdemeanor.

Section 12. Subject to the approval of the Secretary of Agriculture, the director is authorized to make and promulgate such regulations as may be necessary to carry out the provisions of this act.

Section 13. Any person violating, or failing or refusing to comply with, any of the provisions of this act, or with intent to deceive, answers or reports falsely in response to any of the requirements of this act, or who wilfully interferes with the director, his employes or agents, in the execution, or on account of the execution, of his or their duties prescribed in this act, shall be prosecuted in a summary proceeding before any alderman, magistrate, or justice of the peace of the proper city or county, and upon being convicted thereof, shall be punished for the first offense



by a fine of not more than twenty-five dollars, and upon conviction of the second offense by a fine of not less than twenty-five dollars nor more than one hundred dollars, and upon conviction of the third and each subsequent offense by a fine of not less than one hundred dollars nor more than five hundred dollars. In default of the payment of any fine, as aforesaid, any person convicted shall be sentenced to serve one day in the jail of the proper county for each dollar of the fine and costs.

Any violations of the provisions of this act relating to standard receptacles for farm products, which may be established as herein provided for, shall be prosecuted in a summary proceeding before any alderman, magistrate or justice of the peace of the proper city or county by the inspectors of weights and measures of the respective cities and counties and the Chief of the Bureau of Standards of the Department of Internal Affairs and his deputies. (Section 13 as amended May 23, 1923.)

Section 14. The term "person," as used in this act, includes individuals, partnerships, associations, and corporations.

"Farm product" means any agricultural or horticultural product, any fresh or salt water food product, or any product designed for food or feed purposes, manufactured or prepared principally from any agricultural or horticultural product or products.

"Marketing" includes preparing for market, transporting, storing, consigning, buying for purposes of manufacture or sale, offering for sale, selling, soliciting consignments or receiving on consignment.

"Director" means Director of the Bureau of Markets.

Section 15. An act, approved the seventeenth day of July, Anno Domini one thousand nine hundred and seventeen (Pamphlet Laws, one thousand and eleven), entitled "An act creating a Bureau of Markets for agricultural products within the Department of Agriculture; providing for the appointment of a Director of Markets, and for the administration of said bureau; prescribing the powers and duties thereof; prohibiting marketing of such products contrary to the provisions of this act; and prescribing penalties for violation thereof; and making an appropriation to the bureau hereby created," and an act, approved the first day of May, Anno Domini one thousand nine hundred and fifteen (Pamphlet Laws, two hundred fifteen), entitled "An act regulating the sale, offering for sale, or exposing for sale, of vegetables, grapes, and fruits; providing standard containers, baskets, and trays therefor and imposing penalties," are hereby repealed.

All acts or parts of acts inconsistent herewith also are repealed. If any clause, sentence, paragraph, or part of this act shall for any reason be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, or part thereof, directly involved in the controversy in which such judgment shall have been rendered.











